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*Attorneys for Plaintiff and Proposed Class*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AMITABHO CHATTOPADHYAY,

Plaintiff,

v.

BBVA COMPASS BANCSHARES, INC.,  
et al.,

Defendants.

Case No. 19-cv-01541-JST

**NOTICE OF WITHDRAWAL OF  
PLAINTIFF'S MOTION FOR CLASS  
CERTIFICATION**

Pursuant to Civil Local Rule 7.7(e), Plaintiff Amitabho Chattopadhyay hereby withdraws Plaintiff's Motion for Class Certification (ECF No. 43), without prejudice. Defendants have not yet filed an opposition to the Motion.

As grounds for the withdrawal, Plaintiff states as follows:

The Parties have not yet held a Rule 26(f) conference, but have scheduled an in-person Rule 26(f) conference for March 11, 2020. Following the Rule 26(f) conference, Plaintiff anticipates serving narrowly-tailored written discovery on Defendants pursuant to Rules 30, 34

1 and 36. Defendants have also stated their interest in taking discovery, *see* ECF No. 51, but have  
 2 not yet done so. Plaintiff believes that the Parties can complete discovery in a relatively short  
 3 period of time, to be determined by the Court at a Rule 16(b) conference (a request for which will  
 4 be forthcoming). After discovery is completed, Plaintiff will file an amended Motion for Class  
 5 Certification, should the facts of discovery so warrant.

6 Since Defendants have not filed an opposition nor expended any resources on discovery,  
 7 no party will be prejudiced by the withdrawal of Plaintiff's Motion for Class Certification (ECF  
 8 No. 43), without prejudice.

9  
 10 Dated: February 14, 2020

Respectfully submitted,

11  
 12 By: /s/ Anne B. Shaver  
 Anne B. Shaver

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 14, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will automatically send notification of the filing to all counsel of record.

/s/ Anne B. Shaver

Anne B. Shaver